

REMARKS

In the Office Action dated March 27, 2006, the Patent Office rejected the pending claims, 18-26, as being unpatentable over "www.redcross.org" (hereinafter referred to as the "redcross article") in view of the Bezos et al. patent and the Hopkins article. This is respectfully traversed for the reasons shown below.

First, a couple of general comments:

(1) The step reference labels "(a)", "(b)", etc., were added only for clarity in discussing this Office Action and the cited art, and these labels are not new limitations of the claimed invention;

(2) The addition of the step reference labels allowed the removal of the repetition of the details of the referenced step without losing clarity, and these labels are not new limitations of the claimed invention;

(3) Although it is believed, in view of the teachings of the present patent application, that the term "contribution" was clearly referring to a monetary contribution, the claims have been amended to eliminate any uncertainty or argument that the contributions are other than monetary contributions, and these amendments are not new limitations of the claimed invention; and

(4) Although it is believed, in view of the teachings of the present patent application, that it was clear which website was providing or receiving certain information or performing a certain act, the claims have been amended to eliminate any uncertainty or argument as to which website was so providing, receiving or performing, and these amendments are not new limitations of the claimed invention.

Independent Claim 18.

Step (a) requires "receiving at a first Internet website an indication of interest from a donor to make a monetary contribution to a charitable organization..." The Patent Office makes a general reference to the redcross article but does not indicate any page that meets this step. It is presumed, but not admitted, that the Patent Office was referring to page 2. There are some items on this page which might allow a potential donor to make such an indication. However, the only items which might, on their face, so allow are: "Donate Now", "Want to Help?", "Help NOW! Child Sleeping in Red Cross Emergency Shelter", "Help Disaster Victims - Donate Online".

Step (b) requires “hyperlinking the donor to a second Internet website to allow the donor to make the monetary contribution, the second Internet website not being an Internet website of the charitable organization”. For this, the Patent Office cites Bezos. The Patent Office states “BEZOS et al teaches the hyperlink of a 1st website entity (associate) to a 2nd website entity (merchant) to allow customers, who accesses the 1st website entity and with interest to do business with the 1st website entity, to make complete a service or business transaction (sales) at the 2nd website entity, thus enhancing business efficiency since the 1st website lacks the resources needed to generate efficient marketing and profit, i.e. insufficient provision of business information about product to the customer and lack of usage of customer historical data for further transaction and the 2nd website has the resources to provide efficient marketing and review, data analysis, and efficiently attract potential customers to the web site with capable advertising resources”, citing Bezos at col. 1, lines 25-45, 50-67, col. 3, lines 10-40, col. 6, lines 1-47, col. 7, lines 5-25.

However, the Patent Office misstates the incentive and teachings of Bezos. One problem commonly encountered by online merchants is an inability to effectively market goods via their Web sites. Because the customer cannot physically inspect the products via the Web site, and typically cannot talk to a salesperson, it is desirable that the site provide access to product reviews, product ratings, and other information that can be relied on by the customer to make an informed decision. In many cases, however, the merchant lacks the resources needed to generate or otherwise obtain such information, especially if the merchant sells a large and diverse selection of goods. For example, it would not be practical for AMAZON.COM to prepare reviews of all, or even a significant portion of, the millions of titles available on the AMAZON.COM site. (emphasis added)

Bezos, Col 1, lines 24-36.

Thus, although the Patent Office stated “the 2nd website has the resources to provide efficient marketing and review, data analysis” it is clear from Bezos that the 2nd website (merchant) does not have those capabilities. The 2nd website (merchant) actually relies upon the 1st website (associate) to provide those capabilities. Therefore, Bezos teaches that the 1st website

(associate) provides the detailed information and reviews about the product to get the customer interested and, once the customer indicates an interest in buying the product, the 1st website (associate) links the customer to the 2nd website (merchant), which then makes the sale. The incentive for the merchant is not having to provide “product reviews, product ratings, and other information that can be relied on by the customer to make an informed decision” for every product the merchant has but, rather, the merchant can concentrate on the sale, while allowing scores of willing associates to provide that information and hook the customer.

Further, although the Patent Office stated “the 2nd website has the resources to efficiently attract potential customers to the web site with capable advertising resources” it is clear from Bezos that 2nd website (merchant) does not have those capabilities. The 2nd website (merchant) actually relies upon the 1st website (associate) to provide those capable advertising resources and to efficiently attract potential customers.

When reading the claim as a whole, it is clear that, in the claimed invention, the 1st website (charitable organization) need only link the donor to the 2nd website (not the same charitable organization). The 1st website need not provide detailed information about the charitable projects as that information will be provided by the 2nd website. In contrast, Bezos teaches that the 1st website (associate) must provide the detailed information to get the customer interested in the sale, and then the 2nd website (merchant) closes the sale. Thus, Bezos cannot be fairly read to teach step (b) or to make step (b) obvious.

Step (c) requires the second Internet website to provide “information regarding projects of the charitable organization to the donor.” As shown above, Bezos teaches that this information should be provided by the 1st website (associate) as the 2nd website (merchant) has neither the incentive nor the capability to provide this information. Thus, Bezos cannot be fairly read to teach step (c) or to make step (c) obvious.

In addition, with respect to step (c), the Patent Office makes reference to pages 2, 7-8 and 10 of the redcross article. However, the only items which might be possible links to projects, and which, on their face, might seem to allow a person to make a monetary contribution to a project might be: “Donate Now”, “Want to Help?”, “Help NOW! Child Sleeping in Red Cross Emergency Shelter”, “Help Disaster Victims – Donate Online”. However, there is no information as to where those possible links actually lead. In particular, there is no indication that any of

those possible links actually lead to any of the remaining pages cited by the Patent Office. Note that pages 2 and 3 are dated January 25, 1999 (19990125), but pages 4 and 5 are dated November 28, 1999, page 6 is dated May 19, 2000, pages 7-9 are dated January 23, 2000, pages 10 and 11 are dated November 27, 1999, and pages 12-15 are dated April 28, 1999. Note also that pages 12 and 13 appear to be the April 28, 1999 updated version of the page 2, January 25, 1999 web page. Thus, all the Patent Office has provided is a collection of Red Cross web pages which have dates spread across approximately a year and a half (January 25, 1999 to May 19, 2000) and no evidence of any linkage between them. Thus, the redcross article cannot be said to provide a link to information concerning various projects.

Further, as discussed above, this information is provided by the 1st website (associate), which is consistent with the teachings of Bezos, but the claimed invention requires that this information would be provided by the 2nd website, in opposition to Bezos and to the redcross article.

In addition, the Patent Office points to pages 7-8 and 10 for projects such as a "Blood Donations" project and a "National Rapid Response Corps" project. These projects are asking for volunteers to contribute blood, time and/or effort, but not a monetary donation.

Thus, step (c) is neither taught by, nor obvious in view of, Bezos and the redcross article.

Step (e) requires the second Internet website to provide "a plurality of contribution options to the donor for the selected project, the contribution options comprising at least a gift and at least one of the following other contribution options: a sponsorship level, a membership, or a purchase of a tangible item." The Patent Office cited pages 6 and 10 of the redcross article against this step. These do not appear to be related to a selected project; they appear to be standalone items; for example, page 6 purports to show the opportunity to order a calendar, but there is no indication that it benefits any particular project, or benefits any project at all, but may simply go into the general fund. In addition, the reference on page 10 is not the opportunity to purchase a membership, it is the opportunity to volunteer to contribute time and/or effort. The flow of money is actually backwards – from the redcross to the volunteer. Finally, the contribution options comprise "at least a gift and at least one of the following ..." Therefore, two options are required: a gift, and one other named thing. The referenced pages make no suggestion as to two things: the calendar page shows only one option, the calendar; the volunteer program

does not even show one option. Thus, step (e) is neither taught by, nor obvious in view of, the redcross article.

Step (g) requires the second Internet website to receive “a selection of a contribution option from the donor.” The selection must be made from the contribution options provided in step (e). However, as shown above, the redcross article neither suggests nor discloses the contribution options of step (e), so the redcross article cannot be said to disclose or make obvious receiving a selection of an option as no option exists under the redcross article. The Patent Office also points to redcross article page 14 against step (g), but this page merely shows donating an amount of money via credit card to a specified project or fund and neither suggests nor discloses the contribution options of step (e). Thus, step (g) is neither taught by, nor obvious in view of, the redcross article.

Step (j) requires the second Internet website to receive “delivery information from the donor for the selection.” The Patent Office also cites redcross article page 14 against step (j), but this page does not allow the designation of a delivery address. The address line information is for verification of the credit card information, not for delivery information. “Please enter name and address as shown on Credit Card.” (Redcross article, page 14, at the top of the first page.) Thus, step (j) is neither taught by, nor obvious in view of, the redcross article.

Step (k) requires the second Internet website to provide “confirmation information to the donor for the selection.” The Patent Office also cites redcross article page 14 against this step. The redcross article, however, does not state that it provides any confirmation information about anything. In addition, there is no “selection” as required by step (g), nor any contribution options for the selection as required by step (e). Thus, step (k) is neither taught by, nor obvious in view of, the redcross article.

Finally, the Patent Office states that the steps of (f) – (l) are well known charity fundraising managing and reporting parameters, and the practices of these steps, whether online or offline, would have been obvious to a skilled artisan. However, as shown above, the redcross article neither suggests nor discloses many of these steps, nor provides any information that would make these steps obvious. Therefore, this now unsupported conclusion is respectfully traversed.

The Patent Office alleged that www.redcross.org fairly taught the claimed invention but admitted that it did not teach step (b). For step (b) the Patent Office referred to Bezos. However,

as shown above, Bezos actually teaches away from the claimed invention and provides such different background and factual setting information that there would be no incentive to modify Bezos for the claimed invention.

Hopkins teaches tax law issues.

Therefore, in view of the numerous shortcomings and deficiencies of the redcross article and Bezos, as discussed above, it is respectfully submitted that claim 18 is allowable over the cited art, singly and in combination. As claims 19-23 depend from claim 18, they are also allowable.

Dependent Claim 22.

Claim 22 depends from claim 18 and further requires the second Internet website to provide "the transactional data to the charitable organization." The Patent Office stated that "providing transactional between websites and contribution options, etc., ... are fairly taught by www.redcross.org .. and Bezos ..." However, as shown above, Bezos teaches away from, provides no incentive for, and is not applicable to, the claimed invention. In addition, the cited redcross article pages (4, 14-15) do not show reporting of transaction data from one website to another. Therefore, claim 22 is further allowable over the cited art, singly and in combination.

Independent Claim 24 and Its Dependent Claim 25.

These claims are allowable for the same reasons as Independent Claim 1 and its dependent claim 22.

Independent Claim 26.

With respect to independent claim 26, the Patent Office stated that it has "duplicate parts or steps of independent method claim 18 above, the duplicate of another part/process, i.e. for 2nd charity website, 2nd central Internet website and 2nd donor would have been obvious ... for obtaining multiple effects if desired." The Patent Office has, however, misread claim 26.

Although it is believed, in view of the teachings of the present patent application, that it was clear which website was providing or receiving certain information or performing a certain act, this claim has been amended to eliminate any uncertainty or argument as to which website was so providing, receiving or performing. For example, step (1) requires that the first charitable

organization having the first Internet website provide, to the central Internet website, a plurality of projects, a plurality of contribution options for each of the projects, a description or a picture of each of the contribution options, and a minimum monetary donation amount and a tax deductible amount.

This step allows the charitable organization to quickly and dynamically update the website of the non-charitable organization. This is nowhere taught by the redcross article, as the redcross article teaches that it is self sufficient and needs no other servers, and makes no reference to getting web page information from another website. It is also nowhere taught by Bezos, because, in Bezos, the 1st website (associate) merely provides a link to the 2nd website (merchant). There is no suggestion that the 1st website provide anything further to the 2nd website, and there is no suggestion that the 2nd website provide anything to the 1st website other than, possibly, sales and commission results. There is certainly no suggestion in Bezos that the 1st website (associate) can update the charitable contribution information in or of the 2nd website (merchant). Rather, the 1st website is simply to entice the customer to become interested in the product and be linked to the 2nd website. Therefore, it is respectfully submitted that claim 26 is allowable over the cited art.

Article: Publishers Clearing House and Linkshare Partner

The Patent Office indicated that this article is cited to show the hyperlink between websites. However, this article merely states that the 2nd website (merchant) is providing the 1st website (associate) "with a link in the form of a virtual storefront."

Article: www.fhcrc.org

The Patent Office indicated that this article had "the same concepts/teachings (donation, purchase, project, etc.) as in www.redcross.com." However, as shown above, the redcross article neither suggests nor discloses several steps of the claimed invention.


CONCLUSION

As shown above, the cited art neither suggests nor discloses several steps of the claimed invention. Further, the cited art actually teaches away from and/or provides no incentive for the claimed invention. It is respectfully submitted that claims 18-26, as amended, are patentable over

the cited art and, therefore, allowance of claims 18-26 is respectfully requested. In addition, as the amendments to the claims merely clarified what was already believed to be clearly stated and/or obvious from the disclosure, the drawings, and the nature of the invention, the amendments did not add any new limitations or narrow any existing limitations and, therefore, if the Patent Office does not allow the claims at this point, it is respectfully submitted that the next Office Action should be a non-final Office Action. If the Examiner believes that there are any issues which can be resolved by a conference or an Examiner's Amendment so as to secure allowance of the claims a telephone call to the undersigned is respectfully requested.

Respectfully submitted,

POWELL GOLDSTEIN LLP



Charles L. Warner II
Reg. No. 32,320

One Atlantic Center
Fourteenth Floor
1201 West Peachtree Street, NW
Atlanta, Georgia 30309
(404) 572-6718
cwarner@pogolaw.com